

REMARKS

Favorable reconsideration of this application as presently amended, and in light of the following discussion, is respectfully requested.

After entry of the foregoing amendment, Claims 1-12 and 16 remain pending in the present application. Claims 1-7, 9, 10 and 12 are amended to address cosmetic matters of form and to clarify the features of the previously presented claims. Claims 13-15 have been cancelled without prejudice or disclaimer, their features being embraced by the claim amendments provided herein. New Claim 16 is added to present the features of Claim 7 in a format which does not invoke 35 U.S.C. §112, sixth paragraph. A new title of the invention is provided. No new matter has been provided.

By way of summary, the Official Action presents the following issues: The title of the invention has been objected to as to matters of form; Claim 3 stands rejected under 35 U.S.C. §112, second paragraph; Claim 12 stands rejected under 35 U.S.C. §101; and Claims 1-15 stand rejected under 35 U.S.C. §103 as being unpatentable over Hirohata (JP 2002/135671, hereinafter Hirohata) in view of Ferris (U.S. Patent Publication 2003/0104832, hereinafter Ferris).

OBJECTION TO THE TITLE

In response to the objection to the title outlined at paragraph 2 of the Official Action, Applicants submit herewith a new title.

Accordingly, Applicants respectfully request that the objection to the title be withdrawn.

OBJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The Official Action rejected Claim 3 under 35 U.S.C. §112, second paragraph, as allegedly indefinite. Applicants respectfully traverse the rejection.

At page 3, the Official Action notes with reference to Claim 3 that “it is unclear why the information provision service seems to be sent to said broadcast receiver and yet it is also from the broadcast receiver.” This statement appears to express confusion as to why the “from” appears at the end of Claim 3. To be clear, Claim 3 recites that a broadcast receiver receives an information provision service in accordance with an access of an address of an information service from the broadcast receiver. In other words, it is the access request that is “from” the broadcast receiver, and, in response, the provision service is provided to the broadcast receiver.

Accordingly, Applicants respectfully submit that Claim 3 is definite as written.

REJECTION UNDER 35 U.S.C. §101

With regard to the rejection of Claim 12 under 35 U.S.C. §101 as outlined at page 3 of the Official Action, Applicants respectfully submit that this rejection has been rendered moot by the cancellation of this claim.

REJECTION UNDER 35 U.S.C. §103

The Official Action has rejected Claims 1-15 under 35 U.S.C. §103 as being unpatentable over Hirohata and Ferris. The Official Action contends that the combination of cited references provides, or suggests, all of the Applicants claimed features. Applicants respectfully traverse the rejection.

Applicants’ amended Claim 1 recites, *inter alia*, a method of providing information from a server to a broadcast receiver, including:

receiving, from the broadcast receiver,
identification information for identifying a currently
received broadcast station;
receiving, from an external server, state information which
indicates a state of a service for providing information concerning
said broadcast station corresponding to said identification
information; and
transmitting to said broadcast receiver, said received state
information and an address corresponding to said service after
receiving said identification information from said broadcast
receiver and said state information from said external server.

As noted in the Official Action at page 4, Hirohata does not disclose or suggest the provision of state information. In this regard, the Office has cited Ferris.

As noted in the action, Ferris describes the delivery of scheduling information to a cell phone.¹ To the extent the scheduling information of Ferris is considered “state information” in accordance with the Applicants claims, Applicants note that the claims have been amended to clarify that the claim state information is transmitted together with an address corresponding to a service after receiving identification information from a broadcast receiver and the state information from an external server. Ferris does not disclose or suggest reception of state information and broadcast of this information together with an address for receiving a service as recited in the Applicants claims.

Accordingly, Applicants respectfully request that the rejection of Claims 1-15 under 35 U.S.C. §103 be withdrawn.

NEW CLAIM

New Claim 16 is added to present the features of Claim 7 in a format which does not invoke 35 U.S.C. §112, sixth paragraph, as such, new Claim 16 is likewise allowable for at least the reasons discussed above.


¹ See Figure 2; paragraphs 29 and 30.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present application is in condition for allowance and such action is respectfully requested at an early date.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Scott A. McKeown
Registration No. 42,866